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SUBJECT: BANGLADESH ANNUAL ANTI-TRAFFICKING IN PERSONS
(TIP) REPORT

1. (U) This Anti-Trafficking in Persons (TIP) Report will cover efforts by the Bangladesh Government (BDG) during the time period from March 2004-March 2005. Embassy point of contact is Political Officer Charlene Wang, telephone number 880-2-885-5500 extension 2148, IVG post-code Dhaka #583, fax number 880-2-882-3744, email address wangcs@state.gov

2. (SBU) Overview of the country's activities to eliminate trafficking in persons:

A. Bangladesh is a country of origin and transit for women and children trafficked for the purposes of sexual exploitation, involuntary domestic servitude, and debt bondage. Women and children from Bangladesh are trafficked to India, Pakistan, Bahrain, Kuwait, and the United Arab Emirates (U.A.E.). A small number of women and girls are trafficked through Bangladesh from Burma to India. Bangladeshi boys are also trafficked into the U.A.E. and Qatar and forced to work as camel jockeys and beggars. Women and children from rural areas in Bangladesh are trafficked to urban centers for commercial sexual exploitation and domestic work. In an isolated and fairly inaccessible part of southwest Bangladesh known as, Dublar Char, a number of young boys are lured into forced servitude in the seasonal fish drying industry.

B. Women and children in Bangladesh are trafficked from both urban and rural areas, predominantly from the border regions. There is internal trafficking to urban centers as well as to other countries in the region, e.g. India and the Middle East, especially Bahrain, Kuwait, and Dubai.

C. There have been no discernible changes in the direction or extent of trafficking.

D. In February 2004, the Ministry of Women and Children Affairs released a comprehensive study, done in collaboration with the Norwegian Government through NORAD, International Organization for Migration, and NGOs, on "The Counter Trafficking Framework Report: Bangladesh Perspective."

E. Bangladesh is not a significant destination point for TIP victims.

F. Traffickers target poor women and children, migrants, ethnic minorities, disaster victims, runaways, those with little education, those from broken homes, and women who are divorced, separated, or widowed. Traffickers frequently trick victims with a promise of a good job or a marriage proposal. Sometimes relatives or neighbors sell a person. Abduction is less common, but it does occur. Bangladesh has porous borders with India, and therefore it is not always necessary to produce official documents when moving victims. Nonetheless, there have been instances where traffickers were stopped at the airport attempting to smuggle children out of the country with false passports, claiming they were the victim's parents or posing as a victim's husband.

G. There is strong political will at the highest level of government to combat trafficking in persons. The government has made a good faith effort to attack trafficking with the newly-formed inter-ministerial anti-trafficking committee, which meets monthly, and the police anti-trafficking monitoring cell. A willingness to take action against government officials linked to TIP has also been demonstrated. Since June, there have been three court cases related to the complicity of 11 government officials. In terms of prevention, the inter-ministerial anti-trafficking committee has devised a multi-faceted awareness building campaign which the Ministry of Information is executing through national television and radio. The Ministry of Religious Affairs conducts training sessions and awareness talks for religious teachers, and the Bangladesh Rifles (Border Patrol) has integrated TIP awareness curriculum into their training center.

In the area of protection, the government cooperates closely with a number of NGOs that aid trafficking victims. The Secretary for Home Affairs, along with selected members of

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the inter-ministerial anti-trafficking committee, meets with leaders from anti-trafficking NGO,s monthly. In the past year, 21 trafficking victims rescued by Bangladesh security forces were turned over to NGO-run shelters. The government also runs several safe homes where trafficking victims can also stay. In the past year, the government has concentrated on the prosecution of trafficking cases. A Deputy Attorney General coordinates the government effort to monitor chosen batches of trafficking cases to ensure efficient trial and disposal. Since last June 61 cases have been processed through this oversight. Each district also has a multi-sectored anti-TIP committee headed by the local deputy commissioner along with anti-trafficking committees at the Union, Upazilla, Parishad, and City Corporation levels. The newly formed anti-trafficking police monitoring cell not only compiles statistics and data regarding trafficking cases and victims, it helps produce witnesses for the appropriate cases.

In addition to the central monitoring cell at the police headquarters in Dhaka, there are also 64 district level monitoring cells throughout the country. Additionally, Bangladesh took the initiative to introduce the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution to the SAARC Countries in 1997. SAARC member countries signed the convention January 5, 2002, but have yet to ratify the convention.

1H. An undetermined number of authorities who come in contact with trafficking such as border guards and immigration officials are believed to have taken bribes from traffickers, usually in the context of facilitating illegal crossings not explicitly to help smuggle trafficking victims. Since June 2004, there have been three cases involving 11 government officials charged with document fraud to facilitate trafficking from passport offices and the Bureau of Manpower and Employment.

1I. Limitations of the government,s ability to address this problem at the local level are varied. Funding, training, and equipment for the police are woefully inadequate. The judicial system is hampered with a court backlog of about one million cases. One of the largest obstacles in addressing trafficking, however, is Bangladesh,s general problem of rampant and endemic corruption that affects police, prosecutors, local officials, and judges which in turn allows perpetrators to escape justice. Poor governance in general, coupled with high crime rates, plagues the Bangladeshi criminal justice system. On the whole, the government lacks the resources to aid victims comprehensively.

1J. Since June 2004, the government has begun to monitor systematically its anti-trafficking efforts in prosecution, prevention, and victim protection through data collection of the anti-trafficking police monitoring cell. These statistics are made available publicly and directly, and are widely shared with NGOs and others on a monthly basis.

1K. Prostitution is decriminalized in Bangladesh. The punishment for pimps is from 10 years imprisonment to life. The legal minimum age for prostitution is 18.

13. (SBU) Prevention:

1A. Yes, the national government acknowledges that trafficking is a problem in Bangladesh, although it blames much of the problem on the Indian market's demand for trafficked women.

1B. Under the leadership of the Ministry of Home Affairs, numerous government agencies are involved in anti-trafficking efforts including: the Prime Minister,s Office, Ministry of Women and Children,s Affairs (MOWCA), Ministry of Law, Foreign Ministry, Ministry of Information, Ministry of Social Welfare, Ministry of Labor and Employment, NGO Affairs Bureau, Department of Local Government, Ministry of Religious Affairs, Ministry of Education, Civil Aviation Authority, Department of Immigration and Passports, ANSAR, Bangladesh Rifles (Border Patrol), Coast Guard, and the police.

1C. The government is implementing an extensive anti-trafficking public information educational campaign. The campaign involves many ministries. The government-run national TV channel has aired a program with questions and answers about the trafficking situation in Bangladesh, another show where the laws and punishments were broadcast, and a short film that was intended to show the social impact of trafficking. State-owned radio devotes airtime to awareness on trafficking, including small dramas. The Ministry of Religious Affairs conducts training sessions and awareness raising talks for religious teachers for dissemination to their congregations, and the Bangladesh Rifles (Border Patrol) has integrated TIP awareness curriculum into their training center. The Ministry of Women and Children's Affairs has continued its program of "road marches" for awareness raising.

1D. The government gives stipends to girls attending secondary schools outside metropolitan areas, which increases female enrollment and reduces dropout rates.

1E. The government is supportive of prevention programs and actively participates in workshops, meetings, and awareness campaigns, but most funding comes from donors. The government normally defers to NGOs for implementation.

1F. The government cooperates with NGOs and civil society groups that fight trafficking. The government bodies dedicated to anti-trafficking efforts meet regularly with NGOs and routinely refer trafficking victims to shelters run by NGOs. NGO activists report greatly enhanced cooperation in 2004 from local and national officials.

1G. The government does not adequately monitor its borders. The number of guards patrolling the borders is insufficient, and corruption is a problem. We are not aware of any BDG policy or plan to monitor immigration and emigration patterns for evidence of trafficking.

1H. There are two government mechanisms for coordination and communication between various agencies: the inter-ministerial trafficking in persons committee at both the national and district levels which involves NGOs along with government agencies, and the Bangladesh Counter Trafficking Thematic Group, which is organized and run by NGOs and donor agencies and includes government participation. A newly formed Anti-Corruption Commission has a legal mandate to investigate and prosecute corruption; however, it has serious internal problems and its ultimate impact is problematic.

1I. Although not in force, the government introduced an anti-trafficking convention for the South Asian Association for Regional Cooperation (SAARC). It also signed international instruments that can be used to combat trafficking including: CEDAW, Convention on the Rights of the Child (CRC), Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, and the ILO Convention 182 on the worst forms of child labor.

1J. The government does not have a national plan of action to address specifically trafficking in persons; however, it has adopted a National Plan of Action Against Sexual Abuse and Exploitation of Children, which includes trafficking, that the Ministry of Women and Children Affairs developed in 2002. Additionally, the government has outlined a short-term plan to focus on reducing the court case backlog in their effort to combat trafficking in persons.

1K. Since June 2004, the Secretary of Home Affairs, one of the government's most senior civil servants, has assumed the main leadership position in developing anti-trafficking programs within the government.

14. (SBU) Investigation and Prosecution of Traffickers:

1A. The Repression of Women and Children Prevention Act 2000 includes strict penalties, including life imprisonment or the death penalty for those convicted of trafficking for both sexual exploitation and non-sexual purposes. This law includes both internal and transnational forms of trafficking. Other laws related to trafficking include the Penal Code, the Child Marriage Restraint Act, the Children Pledging and Labor Act, and the Suppression of Immoral Traffic Act. Trafficking related cases are tried in Special Tribunals created under the Repression of Women and Children Prevention Act. Besides the ability to try trafficking perpetrators in other countries which South Asian countries are trying to coordinate through South Asian Association for Regional Cooperation (SAARC) and increased regional cooperation, these laws adequately cover the full scope of trafficking in persons.

1B. Punitive sentences for trafficking are severe, ranging from 20 years imprisonment to life imprisonment or the death penalty. Since June 2004, 14 people have been given the death sentence and 43 have been given life imprisonment for trafficking.

1C. Penalties for rape or forcible sexual assault range from seven years in prison to life or death, depending on the nature of the case. The BDG has sentenced those convicted of trafficking to life imprisonment and death.

1D. The government has prosecuted a total of 70 cases since June 2004, with 46 cases ending in convictions. Of those 46 cases, 14 people have been given the death sentence and 59 have been given life imprisonment. There are 21 cases under investigation but this number is constantly changing. Convicted traffickers do serve time.

1E. Because of the clandestine nature of trafficking, it is difficult to identify and track the organized networks

involved or where profits from trafficking are channeled to. Expert sources confirm reports of organized trafficking networks, but the scope of the networks is not clear. Travel agencies, employment agencies, marriage brokers, and opportunists have all been cited as engaging in trafficking. There is anecdotal evidence connecting traffickers to rings that smuggle goods from India to Bangladesh. Traffickers, however, do not appear to have the clout or the resources to obstruct the government's anti-TIP actions at the national level.

F. The government actively investigates cases of trafficking. However, the police are understaffed, undertrained, and lack the necessary resources to carry out professional investigations or stage elaborate undercover operations. The police do not have the technical capacity to use special investigative techniques, such as electronic surveillance. There are no laws prohibiting covert operations, and there is room in the law for mitigated punishment for cooperating suspects. Since June 2004 the Coast Guard has rescued over 161 boys from their forced servitude in the fish drying industry in Dublar Char.

G. Besides the integrated curriculum in the BDR training center, all specialized training for government officials regarding trafficking is done through NGOs.

H. While the BDG does not systematically coordinate with other governments in the investigation and prosecution of trafficking cases, it does coordinate rescue and repatriation efforts. It states that the Indian government is unresponsive to requests for cooperation on trafficking cases.

I. The BDG has not extradited persons who are charged with trafficking in other countries. There is no constitutional provision that prohibits the extradition of Bangladeshi nationals.

J. There is no evidence that the BDG is involved in or is tolerant of trafficking at the local or institutional level.

K. There have been three cases against 11 government officials for involvement in trafficking-related corruption. None have been convicted yet as the trials are still pending.

L. N/A

M. In 1972, the BDG ratified ILO Convention 29 and 105 regarding forced labor. In 1989, it signed the Convention on the Rights of the Child (CRC), and in 2001 it ratified ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor. The government has not signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime.

5. (SBU) Protection and Assistance to Victims

A. The government supports a one-stop crisis center in two medical college hospitals that provides legal (through Bangladesh National Women's Lawyer's Association (BNWLA)), medical, and psychological (through Naripoko) services to victims. Primarily, however, the government works closely with NGOs that provide shelter and access to legal, medical, and psychological services for victims. Since June 2004, the government has returned 123 victims to their guardians, brought 21 to NGO run safe homes, and transferred 11 to government run safe homes. Because Bangladesh is a source country and not a destination country for trafficking victims, there is no need for residency status or relief from deportation.

B. The government is not directly funding any NGOs for services to victims, but has involved and coordinated their efforts for victim services with NGOs.

C. There is not a formal referral process to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to NGOs that provide short or long term care. However, in practice the courts regularly refer victims to NGO shelter homes. Even though in theory no victim should be sent to jail but instead placed in safe custody before being transferred to NGO shelter care or returned to guardian custody, sometimes the lack of police resources or facilities results in victims being kept where criminals are housed. Generally, the rights of victims are respected and, as a matter of policy and law, they are not detained, jailed, deported, or prosecuted for violations of immigration or prostitution laws.

D. Various NGOs, including Bangladesh National Women's Lawyer's Association (BNWLA), rather than the government, encourage and assist victims in filing civil suits and seeking legal action against traffickers. Victims can file civil suits against traffickers but it has not happened yet.

If a victim is a material witness in a court case against the former employer, there is no legislation preventing the victim to obtain other employment or to leave the country. There is no victim restitution program.

E. The government does not have a witness protection program. Various NGOs provide specialized training for government officials on how to provide assistance to trafficked victims, including the special needs of trafficked children.

F. Mostly NGOs provide specialized training for government officials in recognizing trafficking and in providing assistance to trafficked victims, though the Bangladesh Rifles has begun to develop and offer its own specialized training. The government does not provide training on protection and assistance to its embassies and consulates in countries that are destination or transit countries. Recently, however, it agreed to start such a training program through a NGO. The BDG facilitates linkages between Bangladeshi embassies and Bangladeshi NGOs on repatriation cases.

G. The BDG cooperates closely with NGOs that provide medical, financial, shelter, and other services to repatriated victims of trafficking.

H. The Bangladesh National Women,s Lawyers Association (BNWLA), Association for Community Development (ACD), Ahsania Mission, Rights Jessore, and Saviour Jessore provide shelter, food, education, vocational training, medical support, and counseling to trafficking victims. The BDG is very cooperative with these NGOs.

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